

EXHIBIT 120

From: Farzan, Ranna L [ranna_farzan@harvard.edu]
Sent: Friday, June 13, 2014 3:13:05 PM
To: Ryan, James E.; Avery, Christopher; Banaji, Mahzarin; Byrne, Patricia M.; Canfield, Michael; Carrasco, David; Chetty, Nadarajan; Dingman, Thomas A.; Ely, Robin J.; Fallon, Richard; Fitzsimmons, William; Forsyth, Ann; Hammonds, Evelyn; Jha, Ashish; Katz, Lawrence; Kennedy, Randall; Leopold, Deirdre C.; Mayer, Robert J.; Soban, Jessica Lynn; Warikoo, Natasha Kumar; Driver-Linn, Erin; Gershengorn, Ara B; Goodheart, Marc; Iuliano, Robert
CC: Kim_Bremner@dfci.harvard.edu; Dial, Christopher; Higbe, Charlene; Jilek, Tiffany Lee; Kearney, Susan; Lamond, Margaret; Martin, Torey; Murphy, Jean; Pacholok, Olesia; Rom, Suzanne; Shack, Monica S
Subject: Re: Ryan Committee
Attachments: Agenda June 26 2014.PDF; committee charge.pdf; OGC Fisher Client Advisory.PDF

Dear Committee members,

Thank you for your responses. I am writing to let you know that our first meeting will be June 26, 2014, 1:00pm-2:30pm in the Perkins Room at Massachusetts Hall.

In advance of the meeting, we thought it would be helpful to send the meeting agenda and some very limited introductory information. Therefore, attached here, please find a copy of the charge to the Committee and a brief summary of the Supreme Court's *Fisher* decision. We will be setting up a shared site with additional reading information for anyone who would like to access it and will provide more information about that going forward.

Please let me know if you have any questions.

Best,

Ranna

From: Farzan, Ranna L

Sent: Wednesday, June 11, 2014 3:13 PM

To: Ryan, James E.; Avery, Christopher; Banaji, Mahzarin R.; Byrne, Patricia M.; Canfield, Michael Ross; Carrasco, David; Chetty, Nadarajan; Dingman, Thomas A.; Ely, Robin J.; Fallon, Richard; Fitzsimmons, William R.; Forsyth, Ann; Hammonds, Evelyn M.; Jha, Ashish; Katz, Lawrence F.; Kennedy, Randall; Leopold, Deirdre C.; Mayer, Robert J.; Soban, Jessica Lynn; Warikoo, Natasha Kumar; Driver-Linn, Erin; Gershengorn, Ara B; Goodheart, Marc; Iuliano, Robert

Cc: Jilek, Tiffany Lee; Kearney, Susan; Murphy, Jean; 'Pacholok, Olesia'; Shack, Monica S

Subject: Ryan Committee

Dear committee members,

On behalf of President Faust and Dean Ryan, thank you again for agreeing to serve on the committee. I will be working with Dean Ryan on scheduling and other logistical issues, so please do not hesitate to be in touch if there's anything I can do as the committee's work gets underway.

Dean Ryan is hoping to schedule the first meeting as soon as possible, as early as next week. Set forth below are two options (the meeting will be 90 minutes at Massachusetts Hall). We recognize the short notice and difficulties of finding a common time, so we'll select whichever date works for the most people. Please let me know of your availability as soon as possible.

Monday, June 16: 11-12:30pm

Thursday, June 26: 1:00pm-2:30pm

Thank you for your flexibility in scheduling this meeting. If you have an assistant or scheduler, please let me know so that I can copy him or her going forward.

Best,

Ranna

Ranna L. Farzan

Executive Assistant to Robert Iuliano

Senior Vice President and General Counsel

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Committee on Student Body Diversity

June 26, 2014

1:00pm – 2:30pm

Perkins Room, Massachusetts Hall

AGENDA

1. Welcome/Introductions
2.

Redacted: Attorney-Client Privilege
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 Iuliano)
3. Review of the charge and defining the task of the Committee
4. Identifying data/information needed
5. Looking forward: rough timeline

Charge to the Committee

Harvard's admissions processes, including the individualized holistic review through which we evaluate applicants, have long been important features of our institution. They are the means by which we have created and maintained a vibrant academic community with students who are talented and diverse in their intellectual interests, backgrounds and experiences, socio-economic status, geography, race and ethnicity, perspectives, and aspirations. Appreciating that our institution may be the first place where many students are exposed to so many others whose backgrounds differ markedly from their own, Harvard seeks students who will broaden and challenge each other not only in our classrooms, but in laboratories and clinics, student organizations and activities, residences and dining halls, on the fields, and on the stage. As a result of their experiences here, we believe that our students leave Harvard better prepared, better educated, and better able to advance knowledge, promote understanding, and serve society.

Harvard has repeatedly expressed its belief that diversity of many kinds, including racial diversity, contributes to the achievement of our educational mission. In the Supreme Court's *Bakke* decision in 1978, Justice Powell's pivotal opinion concluded that the benefits to the educational process flowing from a diverse student body constitute a legally compelling interest sufficient to justify the consideration of race in admissions. Justice Powell specifically pointed to the Harvard College admissions process—then, as now, a highly individualized, holistic review of each application, with an applicant's race potentially considered as one factor among many – as an “illuminating example” of an admissions program that properly advances the compelling educational interest in student diversity. Since that time, the legal framework for evaluating diversity in the context of university admissions has received further attention from the Supreme Court – first, in the 2003 cases involving the University of Michigan (*Grutter* and *Gratz*) and in last year's case from the University of Texas at Austin (*Fisher*). In these decisions, the Court has continued to find that colleges and universities may permissibly consider race as part of an effort to create a diverse student body whose members contribute to one another's educational experience. The Court has asked, however, that universities have a “reasoned, principled explanation for the academic decision” about the educational benefits of diversity and that they evaluate “whether [they] could achieve sufficient diversity without using racial classifications.”

As part of Harvard's ongoing efforts to consider these issues, and in view of the Supreme Court's precedent on race-conscious admissions in higher education, the committee is asked to consider the following questions:

- How does a diverse student body, including a racially diverse student body, contribute to Harvard's educational objectives and mission? What influence does the diversity of the student body, including racial diversity, have on how Harvard students learn in the classroom, in extracurricular activities, and in the range of informal interactions that are hallmarks of a principally residential campus? How, if at all, does the exposure of students to diversity while on campus influence their lives after graduation, including in their careers, as active and informed citizens and potential leaders, and in pursuing lives of meaning and of value to society?

- What are the strengths and limitations of the ways we consider diversity in our current admissions processes? What alternatives – including alternatives that preclude any consideration of an applicant’s race – are there to the current approach, and would those alternatives as effectively achieve the educational benefits of diversity? Would these alternatives impair Harvard’s ability to achieve other important academic, educational, and institutional interests and objectives? Are alternatives practically feasible?

In considering these questions, the committee should identify appropriate sources of information that might include qualitative information, anecdotal evidence, studies with measurable objectives, internal research, external research, recent scholarship, or historical information. The committee will also want to determine whose input to seek in considering these questions, including potential outreach to students, faculty, alumni, members of the administration, and others. The committee is asked to make findings regarding Harvard’s current approaches to admissions in keeping with the questions outlined above. The committee also should consider any recommendations for changes to Harvard’s admissions processes and other activities to better achieve our goals.